UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/885
13 November 1997
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 28 OCTOBER 1997 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC REPUBLIC OF THE CONGO, ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to enclose herewith a document transmitted to me by the Government of the Democratic Republic of the Congo.

The document is an official report of the United Nations High Commissioner for Refugees concerning the case of Mr. Niyonzima Ntagungira Gerard and calls for no comment on our part.

I should be grateful if you would have the text of the report circulated in extenso as a document of the Security Council.

(Signed) Andre Mwamba KAPANGA
Ambassador
Permanent Representative

Annex

Note concerning the written statement of CI Niyonzima Ntagungira Gerard, a Rwandan refugee in Bangui.

1. Acting on instructions received from the local representative on 22 August 1997 regarding the hearing of the aforementioned CI on the letter submitted by him, we saw the individual in question on 25 and 26 August.

2. He recognized his writing and declared that he wrote the statement fully aware that it would inevitably implicate some of his Rwandan compatriots who were high-ranking officers in the former Force Armée Rwandaise (FAR). He also stated that the letter was addressed to Mrs. Goumba, a Rwandan national, currently the spouse of Mr. Abel Goumba, leader of the Front Patriotique pour le Progrès (FPP).

3. Niyonzima also again gave a detailed account of the facts as described in his written statement. He also declared that some of the military officers were currently in Bangui, namely:

(1) Lieutenant Colonel Bivugaragabo

(2) Majors Kanyamibwa (Pilot)
Kinyoni
Ntirikina
Mudacumur

(3) Captain Hitamana

(4) Deputy adviser Kayondo

4. The CI also stated that he wrote the statement to inform Mrs. Goumba to whom he had earlier given a verbal account. He now claims that he is being threatened by his own people who are at present in Bangui and have already heard about his letter. They reportedly consider him a traitor. Consequently, he says that he is in danger and is unable to go to Bouka. He is therefore asking to be repatriated to Rwanda and claims to be a Hutu moderate.

5. His particulars are as follows:

DOB: 16 May 1967; POB: Mukingo/Rehengeri (Rwanda)

Profession: Accountant at Rwanda National University

Marital status: Bachelor, no children.

Date of arrival in Zaire: 15 October 1994, at Mugunga

Departure from Mugunga to Tingi-Tingi: 28 February 1997

Arrival in CAR: 22 July 1997 via M'baiki (Lobaye)

Claims that his father is Hutu and his mother Tutsi.

DONE at Bangui, 28 August 1997

Guy-Rufin Guernas, Protection Assistant

On 1 October 1996, we were in the Mugunga refugee camp when the town of Goma was attacked. The ex-FAR who were with us ordered us to leave the camp. There was a discussion between colonel Nkundiye, G4 ex-FAR Headquarters, and Captain Hakizimana, commander, Paratroop Battalion. Hakizimana wanted the refugees to go into the camp, but Nkundiye refused. That is why Captain Hakizimana decided to return to Rwanda through the volcanoes with about 200 ex-FAR armed soldiers. Their aim was to cause trouble in the prefecture of Ruhengeri.

On 3 October 1996, we left the Rugunga camp for Sake and on the way stopped at Nyamirambo. Behind us was the town of Goma, where the war was going on, and on our right there was an armed band of Banyama. These were ex-FAR on their way to Masisi to get the cattle of the Ba Tutsi which provided the Mugunga refugee camp with meat. On our left there was lake Kivu and the headquarters of the ex-FAR with their heavy weapons. So the only way was straight ahead.

At 8 p.m. on 15 October 1996, Colonel Rwamamywa gave the order to destroy all heavy weapons, the ONATRACOM buses and all the State vehicles they had looted and told all the young men to proceed ahead. But this same Rwamanywa was the one who had the entire State treasury. Even the money deposited by the RDR was taken care of by him and Major Mbarushimana, the private secretary of the Head of State, Major-General Bizimungu Augustin.

On the night of 15 October 1996, we took the forest trail to Masisi and spent the night there. In the morning, they went to get the cows and passed mortars belonging to Kabira's young soldiers. That morning, a lot of ex-FAR were killed. We were taken hostage and our job was to carry boxes of grenades, mortar shells, rockets, strims (rifle grenades), heavy weapons, etc. We travelled more than 500 kilometres through the forest to get to Walikale.

The ex-FAR (Rwandan Armed Forces) and FAZ (Zairian Armed Forces) met up in Walikale. We stayed there for eight days but the population kept moving towards Kisangani along the paved road. On the ninth day we started out towards Kisangani, Zaire's third largest city and, after travelling 120 kilometres, we stopped in Tingi-Tingi and Amisi where refugees had set up camps and there were representatives of organizations such as the World Food Programme (WFP), International Committee of the Red Cross (ICRC), Office of the United Nations High Commissioner for Refugees (UNHCR) and Médecins Sans Frontières (MSF).

The ex-FAR and FAZ took that opportunity to organize and train for a counter-attack. Military police were patrolling and if they caught you wandering around rather than participating in the training, without having a medical dispensation signed by a doctor, you were in trouble. They took you to see Major Mudacumura, who was in charge of new recruits; he decided whether or not you should be killed. He was the operations commander near the Oso river bridge, where there was a defense post. Many ex-FAR and ex-FAZ soldiers had

died there because they were raw recruits with little military training. Even the white Yugoslav mercenaries had lost six of their own.

When the ex-FAZ realized that they were losing the battle, they retreated, leaving a Puma helicopter and a small transport plane in Tingi-Tingi. When Colonel Ntiwiragabo arrived, he ordered everything destroyed and that was when Air Force Major Kanyamibwa gave the order to kill the 40 prisoners as well as the patients in the hospital so that they could not provide military secrets to the winning side.

We left Tingi-Tingi on the night of 28 February 1997 and on 1 March 1997 headed towards Lubutu-Kisangani. When we arrived in Lubutu Major Kanyamibwa personally killed four young men with his own pistol because they refused to carry cartridge cases.

At a distance of 100 kilometres from Kisangani, the ex-FAZ in charge of security at the refugee camp told the ex-FAR that the refugees were not to be allowed into the city because they were too dirty.

We left the paved road and went left towards the Ubundu with Major Mugaragu.

On 15 March 1997 we crossed the Ubundu River (where the Ubundu-Kisangani Railway is located) and took the forest road in order to avoid meeting any more soldiers.

On 2 April 1997 we arrived at a crossroads where we hoped to find transportation to Kisangani. Major Mugaragu had eight people killed one by one after which the others tried to follow the others.

On 19 April 1997 we arrived at the village of Mondimbi, where the Americans had built. We were now with Captain Mubirigi who ordered an attack on the parish to loot and steal cattle. They killed four civilians; the priests had already fled because of the general climate of insecurity.

On 29 April 1997 we arrived at the village of Yemo, which was full of merchandise. Captain Mubirigi ordered everyone who was carrying ammunition to throw it into the forest and destroy it because we were very far from Kabila's soldiers. He did not act out of pity for us, on the contrary. The soldiers looted the village, mistreating and raping the Zairian women and girls, and even killed a girl who had refused to sleep with a Rwandan corporal.

This time we had to carry goods: salt, sugar, rice, oil, even dead goats.

We spent the entire month of May in the forest, eating only cassava leaves; the soldiers hunted for food.

On 9 June 1997 we arrived in the village of Mampoko on the banks of the Lulonga River. I crossed the river with some of Kabila's soldiers, with whom I talked; one, a warrant officer, gave me 150,000 New Zaires. They had come by boat from Basankusu in the north of Zaire.

On 17 June 1997 we arrived at the Zaire River at 6.30 p.m. We spent the night there, having crossed the Mitole Forest and stayed five days and nights by the water.

In the morning Captain Mubirigi gave the order to cross the river, but four Rwandan women said that they would cross after they saw their husbands, because they didn't know where they were; they were soldiers. Two of the four women were Tutsis, however. The Captain ordered all four of them to be bayoneted and thrown into the river, as was the one-year-old son of one of the Tutsi women.

On 27 June 1997 we arrived in the Congo and on 22 July 1997 we arrived in the Central African Republic.

(Signed) NIYONZIMA NTAGUNGIRA Gérard

Appendix

(1) Lt. Col. Ndahimana J. M. V.

(2) Col. Murasamrongo

(3) Lt. Cdr. Rwamanywa - gutvika amabisi

(4) Cdr. Kanyamanza André BKV

(5) Capt. Ntibakunze

(6) Lt. Cdr. Nubaha

(7) Major Bizimana Andre

(8) Major Nzabonimpa Joseph

(9) Lt. Cdr. Juvenal Bahufite Mugunga

(10) Major Ntilikani Faustin

(11) Col. Nyilimanzi

(12) Lt. Col. Ruhorahoza

(13) Major Kanyamibwa, pilot who died in camp

(14) Major Njampame

(15) Major Kimyoni

(16) Major Sebahinzi

(17) Major Nyamuhimba

(18) Capt. Munyakayanza

(19) Major Nzuwonemeye

(20) Major Kalisa

(21) Major Rusagaliye

(22) Major Mpiranya Protais

(23) Major Munyarugerero

(24) Lt. Col. Munyarugarama

(25) Major Ngayamberura

(26) Major Gen. Bizimungu Augustin with Mobutu

(27) Lt. Col. Gasarabwe Edouard